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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
SHELEHEDA, JAMES R	
ART UNIT	**PAPER NUMBER**
2623	

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/412,792	CONNELLY, JAY H.	
	Examiner	Art Unit	
	James Sheleheda	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-14 and 18-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-14 and 18-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-7, 9-14 and 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grooters (6,684,399) (of record) in view of Boyer et al. (US 2003/0066085 A1).

As to claim 1, while Grooters discloses a method of broadcasting data (Fig. 2; column 4, lines 59-65), comprising:

sending to a receiver scheduling information (Figs. 3 and 4; column 6, lines 29-33) that includes a scheduled time (Fig. 4; column 6, lines 13-33) and identifies an encoding format (see Fig. 4; column 6, line 58-column 7, line 5), wherein the encoding format comprises a content format used to encode the data prior to broadcasting and apart from encoding the broadcast for transmission through a transport medium (such as .mov, .mmp or .ram format; see Fig. 4; column 6, line 58-column 7, line 5);

wherein said scheduling information is capable of processing by receiver (processing and displaying the guide indicating future content; Fig. 4; column 7, lines 20-67) to select one viewer application from a plurality of viewer applications (to allow the selection of the appropriate player for the media format; column 6, lines 58-column

7, line 1) which are stored on the receiver (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50) and are capable of processing the broadcast data in the encoding format at the scheduled time (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50); and

broadcasting the data at the scheduled time (column 7, lines 33-67),

he fails to specifically disclose wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features.

In an analogous art, Boyer discloses a broadcast distribution system (Fig. 1; paragraph 51) wherein the receiver utilizes a plurality of viewer applications (paragraph 73) comprising a first viewer application associated with a particular content provider (such as Quicktime; see Fig. 30; paragraph 73) and a second viewer application functioning as a default viewer application (such as Netscape; see Fig. 30; paragraph 73), the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider (plugin allowing the viewing of embedded video and media; see Fig. 30; paragraph 73), the default viewer application to present the data

broadcast by the particular content provider as viewable content without the additional interactive features (Netscape displaying the basic program information and text, but requiring the appropriate plugin to display video; see Fig. 30; paragraph 73), for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system (Fig. 30 and paragraph 73).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Grooters' system to include wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features, as taught by Boyer, for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system.

As to claim 3, Grooters and Boyer disclose wherein the sent information identifies a content provider for the data (such as NASA; see Fig. 4).

As to claim 4, Grooters and Boyer disclose wherein the sent information identifies a channel for broadcasting the data (see Fig. 4); and

the broadcast transmits the data in the identified channel (column 7, lines 38-67).

As to claim 5, Grooters and Boyer disclose wherein the identified channel comprises a cable channel (Fig. 4).

As to claim 6, Grooters and Boyer disclose wherein the viewer applications decode broadcasted data (to display multimedia formatted content; column 6, line 58-column 7, line 1 and column 7, lines 38-50).

As to claim 7, Grooters and Boyer disclose wherein the broadcasting starts at a predetermined time after the sending of the information (Fig. 4).

As to claim 9, Grooters and Boyer disclose wherein

sending second information about a second scheduled time and content format for a broadcast of new data (see Fig. 4), the second content format being indicative of a new viewer application for processing the new data (utilizing a second multimedia format, such as .mmp or .vid; see Fig. 4); and

then broadcasting the new data during the second scheduled time (Fig. 4).

As to claim 10, while Grooters discloses a method of processing data (Fig. 2; column 4, lines 59-65), comprising:

receiving scheduling information (Figs. 3 and 4; column 6, lines 29-33) providing broadcast times for data broadcasts (Fig. 4; column 6, lines 13-33) and information to identify an encoding format (see Fig. 4; column 6, line 58-column 7, line 5), wherein the encoding format comprises a content format used to encode the data prior to broadcasting and apart from encoding the broadcast for transmission through a transport medium (such as .mov, .mmp or .ram format; see Fig. 4; column 6, line 58-column 7, line 5);

processing the scheduling information (processing and displaying the guide indicating future content; Fig. 4; column 7, lines 20-67) to select a viewer application from a plurality of viewer applications (to allow the selection of the appropriate player for the media format; column 6, lines 58-column 7, line 1) which are stored at a receiver (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50) and are capable of processing the data broadcasts in the encoding format at the broadcast times (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50); and

broadcasting the data at the scheduled time (column 7, lines 33-67),

he fails to specifically disclose wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast

by the particular content provider as viewable content without the additional interactive features.

In an analogous art, Boyer discloses a broadcast distribution system (Fig. 1; paragraph 51) wherein the receiver utilizes a plurality of viewer applications (paragraph 73) comprising a first viewer application associated with a particular content provider (such as Quicktime; see Fig. 30; paragraph 73) and a second viewer application functioning as a default viewer application (such as Netscape; see Fig. 30; paragraph 73), the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider (plugin allowing the viewing of embedded video and media; see Fig. 30; paragraph 73), the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features (Netscape displaying the basic program information and text, but requiring the appropriate plugin to display video; see Fig. 30; paragraph 73), for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system (Fig. 30 and paragraph 73).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Grooters' system to include wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive

features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features, as taught by Boyer, for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system.

As to claim 11, Grooters and Boyer disclose wherein the scheduling information identifies channels scheduled to broadcast the data (Fig. 4).

As to claim 12, Grooters and Boyer disclose wherein the scheduling information associated with a portion of the broadcasts identifies one of content formats (Fig. 4) and content providers of the associated data (Fig. 4).

As to claim 13, Grooters and Boyer disclose wherein the processing comprises decoding the received data (decoding and displaying the received program guide; Fig. 4; column 6, line 29-column 7, line 67).

As to claim 14, while Grooters discloses a method of processing data (Fig. 2; column 4, lines 59-65), comprising:

receiving scheduling information (Figs. 3 and 4; column 6, lines 29-33) that provides broadcast times for data broadcasts (Fig. 4; column 6, lines 13-33) and information to identify an encoding format (see Fig. 4; column 6, line 58-column 7, line

5), wherein the encoding format comprises a content format used to encode the data prior to broadcasting and apart from encoding the broadcast for transmission through a transport medium (such as .mov, .mmp or .ram format; see Fig. 4; column 6, line 58-column 7, line 5);

writing the scheduling information to a scheduling table (downloading and storing the guide; column 6, lines 29-33) having entries indexed by scheduled times and channels (Fig. 4);

processing the scheduling information (processing and displaying the guide indicating future content; Fig. 4; column 7, lines 20-67) to select a viewer application from a plurality of viewer applications (to allow the selection of the appropriate player for the media format; column 6, lines 58-column 7, line 1) which are stored at a receiver (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50) and are capable of processing the data broadcasts in the encoding format at the broadcast times (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50); and

broadcasting the data at the scheduled time (column 7, lines 33-67),

he fails to specifically disclose wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast

by the particular content provider as viewable content without the additional interactive features.

In an analogous art, Boyer discloses a broadcast distribution system (Fig. 1; paragraph 51) wherein the receiver utilizes a plurality of viewer applications (paragraph 73) comprising a first viewer application associated with a particular content provider (such as Quicktime; see Fig. 30; paragraph 73) and a second viewer application functioning as a default viewer application (such as Netscape; see Fig. 30; paragraph 73), the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider (plugin allowing the viewing of embedded video and media; see Fig. 30; paragraph 73), the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features (Netscape displaying the basic program information and text, but requiring the appropriate plugin to display video; see Fig. 30; paragraph 73), for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system (Fig. 30 and paragraph 73).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Grooters' system to include wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive

features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features, as taught by Boyer, for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system.

As to claim 18, while Grooters discloses system for receiving data broadcasts (Fig. 2; column 4, lines 59-65), comprising:

an interface to receive scheduling information (Figs. 3 and 4; column 6, lines 29-33) that provides broadcast times for data broadcasts (Fig. 4; column 6, lines 13-33) and information to identify an encoding format (see Fig. 4; column 6, line 58-column 7, line 5), wherein the encoding format comprises a content format used to encode the data prior to broadcasting and apart from encoding the broadcast for transmission through a transport medium (such as .mov, .mmp or .ram format; see Fig. 4; column 6, line 58-column 7, line 5);

a data storage device (column 3, lines 21-50) storing a plurality of viewer applications to decode the broadcasts of data (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50);

a processor coupled to the data storage device (Fig. 1), the processor to process the scheduling information (processing and displaying the guide indicating future content; Fig. 4; column 7, lines 20-67) to select viewer applications from a plurality of viewer applications on said data storage device (to allow the selection of the appropriate

player for the media format; column 6, lines 58-column 7, line 1) and capable of processing the data broadcasts in the encoding format for the broadcasts (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50); and

broadcasting the data at the scheduled time (column 7, lines 33-67),

he fails to specifically disclose wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features.

In an analogous art, Boyer discloses a broadcast distribution system (Fig. 1; paragraph 51) wherein the receiver utilizes a plurality of viewer applications (paragraph 73) comprising a first viewer application associated with a particular content provider (such as Quicktime; see Fig. 30; paragraph 73) and a second viewer application functioning as a default viewer application (such as Netscape; see Fig. 30; paragraph 73), the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider (plugin allowing the viewing of embedded video and media; see Fig. 30; paragraph 73), the default viewer application to present the data

broadcast by the particular content provider as viewable content without the additional interactive features (Netscape displaying the basic program information and text, but requiring the appropriate plugin to display video; see Fig. 30; paragraph 73), for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system (Fig. 30 and paragraph 73).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Grooters' system to include wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features, as taught by Boyer, for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system.

As to claim 19, Grooters and Boyer disclose wherein the data storage device further stores an executable control application for updating a scheduling table in response to receiving new scheduling information for a broadcast of data (updating the schedule for succeeding time periods; column 7, lines 47-67).

As to claim 20, Grooters and Boyer disclose wherein the control application selects the viewer application to decode data based on information from the scheduling table (wherein the guide indicates the URL and media format; Fig. 4 and column 6, lines 58-67).

As to claim 22, while Grooters discloses a data storage device encoding computer executable instructions for a method of broadcasting data (Fig. 2; column 4, lines 59-65), the instructions to cause a system to:

send scheduling information to a receiver (Figs. 3 and 4; column 6, lines 29-33) about a scheduled time (Fig. 4; column 6, lines 13-33) and information to identify an encoding format (see Fig. 4; column 6, line 58-column 7, line 5), wherein the encoding format comprises a content format used to encode the data prior to broadcasting and apart from encoding the broadcast for transmission through a transport medium (such as .mov, .mmp or .ram format; see Fig. 4; column 6, line 58-column 7, line 5);

wherein said scheduling information is capable of processing by receiver (processing and displaying the guide indicating future content; Fig. 4; column 7, lines 20-67) to select one viewer application from a plurality of viewer applications (to allow the selection of the appropriate player for the media format; column 6, lines 58-column 7, line 1) which are stored on the receiver (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50) and are capable of processing the broadcast data in the encoding format at the scheduled time (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50); and

broadcasting the data at the scheduled time (column 7, lines 33-67),

he fails to specifically disclose wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features.

In an analogous art, Boyer discloses a broadcast distribution system (Fig. 1; paragraph 51) wherein the receiver utilizes a plurality of viewer applications (paragraph 73) comprising a first viewer application associated with a particular content provider (such as Quicktime; see Fig. 30; paragraph 73) and a second viewer application functioning as a default viewer application (such as Netscape; see Fig. 30; paragraph 73), the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider (plugin allowing the viewing of embedded video and media; see Fig. 30; paragraph 73), the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features (Netscape displaying the basic program information and text, but requiring the appropriate plugin to display video; see Fig. 30; paragraph 73), for the

typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system (Fig. 30 and paragraph 73).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Grooters' system to include wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features, as taught by Boyer, for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system.

As to claim 23, Grooters and Boyer disclose wherein the sent information identifies one of a content provider for the data (such as NASA; see Fig. 4) and a scheduled broadcast channel for the data (Fig. 4).

As to claim 24, Grooters and Boyer disclose wherein the instructions further cause the system to broadcast the data at a predetermined time after the sending of the information (broadcasting the content at the scheduled time; see Fig. 4; column 7, lines 20-67).

As to claim 25, Grooters and Boyer disclose wherein

broadcast second information about a second scheduled time and content format for a broadcast of new data (see Fig. 4), the second content format being indicative of a new viewer application for processing the new data (utilizing a second multimedia format, such as .mmp or .vid; see Fig. 4); and then,

broadcasting the new data during the second scheduled time (Fig. 4).

As to claim 26, while Grooters discloses a data storage device storing executable instructions (Fig. 2; column 4, lines 59-65), the instructions to cause a computer to:

receive scheduling information (Figs. 3 and 4; column 6, lines 29-33) for encoding formats (see Fig. 4; column 6, line 58-column 7, line 5) and broadcast times of broadcasts of data (Fig. 4; column 6, lines 13-33), wherein the encoding format comprises a content format used to encode the data prior to broadcasting and apart from encoding the broadcast for transmission through a transport medium (such as .mov, .mmp or .ram format; see Fig. 4; column 6, line 58-column 7, line 5);

process the scheduling information (processing and displaying the guide indicating future content; Fig. 4; column 7, lines 20-67) to select a viewer application from a plurality of viewer applications (to allow the selection of the appropriate player for the media format; column 6, lines 58-column 7, line 1) which are stored on the receiver (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50) and are capable of processing the broadcast data in the encoding format at

the scheduled time (to play the specific format media; column 6, line 58-column 7, line 1 and column 7, lines 38-50);

receive data from one of the broadcasts at the scheduled broadcast time (column 7, lines 33-67); and

process the received data with a viewer application for processing in the encoding format (column 6, line 58-column 7, line 1 and column 7, lines 38-50),

he fails to specifically disclose wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features.

In an analogous art, Boyer discloses a broadcast distribution system (Fig. 1; paragraph 51) wherein the receiver utilizes a plurality of viewer applications (paragraph 73) comprising a first viewer application associated with a particular content provider (such as Quicktime; see Fig. 30; paragraph 73) and a second viewer application functioning as a default viewer application (such as Netscape; see Fig. 30; paragraph 73), the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider (plugin allowing the viewing of embedded video and

media; see Fig. 30; paragraph 73), the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features (Netscape displaying the basic program information and text, but requiring the appropriate plugin to display video; see Fig. 30; paragraph 73), for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system (Fig. 30 and paragraph 73).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Grooters' system to include wherein the plurality of viewer applications comprises at least a first viewer application associated with a particular content provider and a second viewer application functioning as a default viewer application, the first viewer application to present data broadcast by the particular content provider as viewable content which includes additional interactive features incorporated by the particular content provider, the default viewer application to present the data broadcast by the particular content provider as viewable content without the additional interactive features, as taught by Boyer, for the typical benefit of ensuring the system can correctly navigate and utilize provided content through a standard web browser system.

As to claim 27, Grooters and Boyer disclose wherein the scheduling information identifies channels schedule to broadcast the data (see Fig. 4).

As to claim 28, Grooters and Boyer disclose wherein the instructions to process further cause the computer to:

decode the received data (decoding and displaying the received program guide; Fig. 4; column 6, line 29-column 7, line 67).

As to claim 29, Grooters and Boyer disclose the instructions further causing the computer to:

write the scheduling information to a scheduling table (downloading and storing the guide; column 6, lines 29-33) having entries indexed by scheduled times and channels (Fig. 4); and

wherein the instruction causing the computer to process causes the computer to select the viewer application based on data from the scheduling table (wherein the guide indicates the URL and media format; Fig. 4 and column 6, lines 58-67).

As to claims 21 and 30, while Grooters and Boyer disclose a system for selecting a viewer application, he fails to specifically disclose that the control application selects the viewer application based on availability data for the viewer application stored in a viewer application selection table.

Official Notice is hereby taken that it is well known in the art that a web browser stores information regarding what plug-ins are installed. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Grooters and Boyer with the software installation information of the

well-known prior art in order for the web browser to know what types of data it can handle and what types of data it cannot. This reads on the claimed availability data for the viewer applications stored in a viewer application selection table.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grooters and Boyer, as applied to claim 1, and further in view of the Advanced Television Enhancement Forum Specification (ATVEF) (of record).

As to claim 8, while Grooters and Boyer disclose broadcasting content in an encoding format, they fail to specifically disclose wherein the content format is an ATVEF format.

The Advanced Television Enhancement Forum Specification (ATVEF) outlines the implementation and use of the ATVEF format for distributing video content in conjunction with other multimedia-rich hypertext data. The ATVEF Specification is evidence that ordinary workers in the art would recognize the benefit of utilizing the ATVEF format to transport and display real-time video content in conjunction with other hypertext multimedia. Therefore, it would have been obvious to ordinary workers in the art to combine the user interactive video transmission and receiving system of Grooters and Boyer with the ATVEF format of the ATVEF Specification in order to facilitate transporting and embedding video within a hypertext linked multimedia display and vice versa to insure compatibility with a wide range of devices using a well known standard (ATVEF).

Response to Arguments

4. Applicant's arguments with respect to claims 1, 3-14 and 18-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331: The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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